



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HUART, et al.  
Appl. No. : 09/744,733  
Filed : January 29, 2001  
  
Title : FRICTION CLUTCH BEARING AN ELECTRIC MACHINE  
ROTOR, IN PARTICULAR FOR A MOTOR VEHICLE  
  
Group Art Unit : 3747  
Examiner : DOLINAR, A.  
Docket No. : 01200.448

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**APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

June 24, 2005

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

In follow-up to the Notice of Appeal filed June 23, 2004, Appellant respectfully requests the Board of Patent Appeals and Interferences consider the following arguments and reverse the decision of the Examiner in whole. Applicant has filed concurrently herewith an amendment intended to reduce the issues for Appeal and a petition for a three-month extension of time. No further extensions are deemed necessary; however, the Commissioner is hereby authorized to charge applicant's deposition account no. 50-0548 to maintain the pendency of this application.

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**(1) Real Party in Interest**

The real party in interest is VALEO EQUIPEMENTS ELECTRIQUES MOTEUR.

**(2) Related Appeals and Interferences**

There are no known related appeals or interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal.

**(3) STATUS OF CLAIMS**

1. Claims 1, 3-7, 9-40 and 42-45 are pending in the application. All amendments have been entered and considered.
2. Claims 2, 8 and 41 have been canceled.
3. Claims 7, 11-16, 19-24, 28-39 and 44 have been withdrawn from consideration as not readable to the elected species of Figure 3.
4. Claims 9, 10, 17, 18, 25, 27, 40, 42, 43 and 45 have been allowed.
5. Claims 1, 3-6 and 26 have been rejected and are being appealed.

**(4) STATUS OF AMENDMENTS**

The Office Action finally rejecting claims 1, 3-6, 26, 40 and 45 was mailed on July 23, 2004. On January 24, 2005 Appellant filed Amendment and Request for Reconsideration

amending allowable claims 42 and 43 objected to for having improper dependency, and allowable claims 40 and 45 rejected under 35 U.S.C. § 112, second paragraph, and presenting arguments for the patentability of claims 1, 3-6 and 26. These amendments have been entered and the presented arguments have been considered by the Examiner. Applicant concurrently filed a Notice of Appeal to appeal the Examiner's rejection of claims 1, 3-6, 26, 40 and 45. On February 10, 2005 the Examiner issued an Advisory Action Before the Filing of an Appeal Brief indicating that Applicant's amendment of January 24, 2005 has been entered for the purposes of appeal, and claims 1, 3-6 and 26 have been rejected. Subsequently, there have been no other papers filed by the Appellant or issued by the U.S. PTO.

#### **(5) SUMMARY OF CLAIMED SUBJECT MATTER**

The instant invention, as claimed in independent claim 1, is directed to a friction clutch device shown in Fig. 3 and including a rotational drive flywheel (4, 130, 131 and 46) (see page 21, lines 35-38), and a friction disc (20). The drive flywheel (4, 130, 131 and 46) has a front extremity intended to be fixed to a drive shaft (11), and a rear extremity in the form of a hollow-shaped reaction plate (4) (see page 10, lines 33-36). More specifically, the reaction plate (4) defines a central recess (39) and is delimited externally by a friction face (37) (see page 18, lines 28-33).

The friction disc (20) comprises, at its outer periphery, at least one friction lining (16) (shown in Figs. 1-3 and marked in Fig. 1) for contact with the friction face (37) of the reaction plate (4). The friction lining (16) is integral with a support (21) coupled elastically, by way of a torsion damper (20a), to a central hub (15) intended to be integrated in rotation with a driven

shaft (12) (see Fig. 3; page 12, line 35 – page 13, line 8). Moreover, the drive flywheel (13) carries the rotor (6) of a rotating electric machine (2) comprising a fixed stator (5) between its front and rear extremities (see Fig. 3; page 10, line 37 – page 11, line 2). The torsion damper (20a) penetrates into the central recess (39) of the reaction plate (4) (see page 17, lines 24-26). More specifically, the torsion damper (20a) includes a first guide washer (29) integral with the support (21) and with a second guide washer (30) (see Fig. 3; page 16, lines 10-12), and a web (34) arranged between the two guide washers (29, 30) and linked in rotation with the hub (15) (see page 16, lines 16-23) so that the second guide washer (30) is installed in the central recess (39) of the reaction plate (4) (see Fig. 3; page 23, lines 34-38).

According to claim 3, the torsion damper (20a) of the friction clutch device of claim 1 is installed radially under a first annular portion (38) of axial orientation being connected to the inner periphery of the friction face (37) (see Figs. 2 and 3; page 23, lines 25-28).

According to claim 4, the first annular portion (38) of the friction clutch device of claim 3 is extended inwards by an inclined portion (142) (see Figs. 2 and 3; page 23, lines 29-32).

According to claim 5, the inclined portion (142) of the friction clutch device of claim 4 is extended by a ring (130) of transverse orientation (see Figs. 2-4).

According to claim 6, the first annular portion (38) of the friction clutch device of claim 3 is connected to a ring of transverse orientation (130) (see Fig. 3).

According to claim 26, in the friction clutch device of claim 1 the engine flywheel (13) carries clearance means for chignons (8) which the stator (5) of the electric machine (2) features in axial projection (see Fig. 3; page 19, lines 30-32).

**(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Claims 1, 3-6 and 26 stand rejected under 35 U.S.C. 102(b) as being anticipated by Uchida et al. (JP 63-309768) (hereinafter referred to as Uchida).

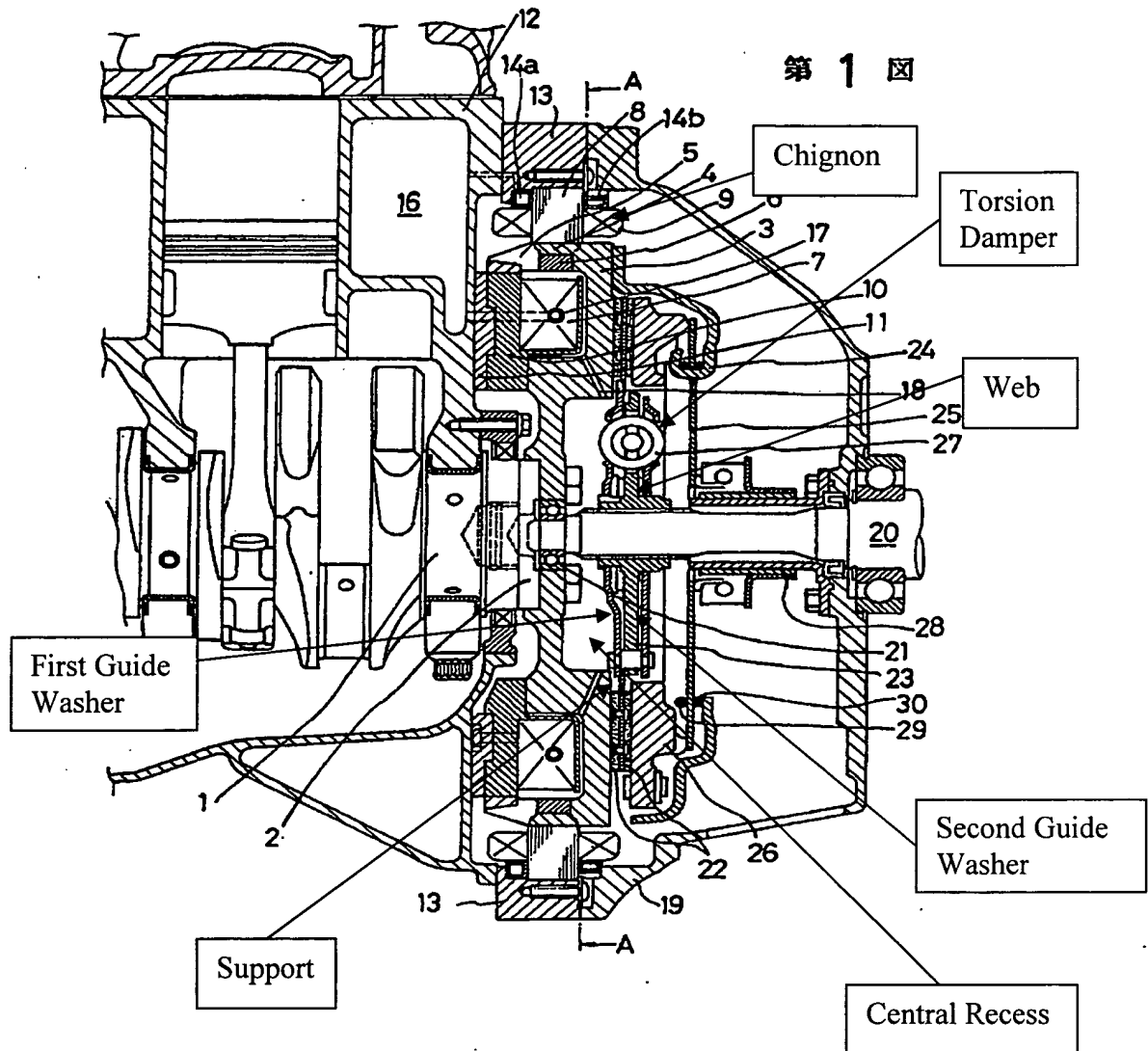
**(7) ARGUMENTS**

Sub-Paragraph (iii)

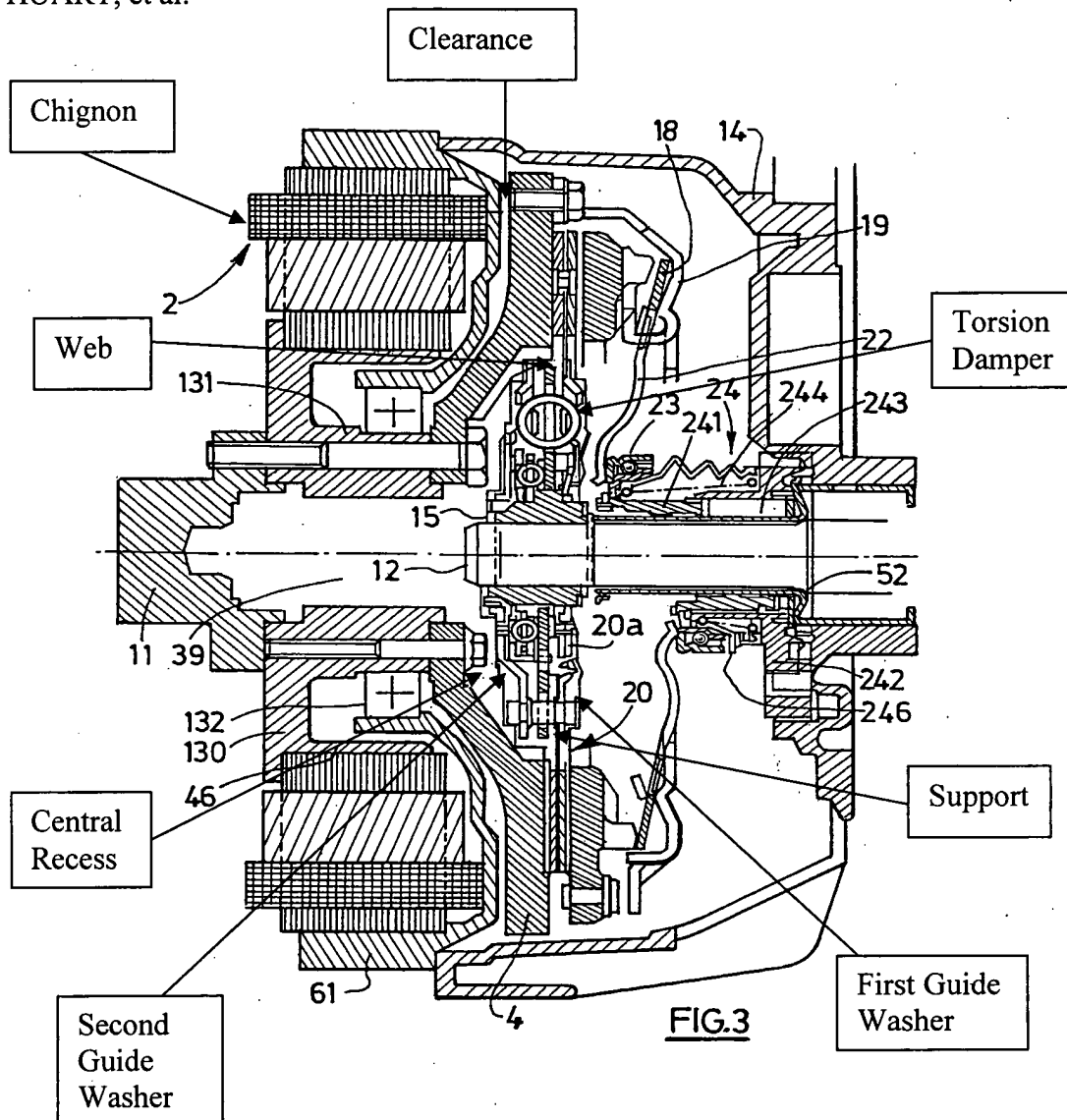
Claims 1, 3-6 and 26 stand rejected under 35 U.S.C. 102(b) as being anticipated by Uchida. It is noted that claim 1 is an independent claim. It is noted that claims 3 and 26 depend upon a base claim 1; claims 4 and 6 depend upon claim 3; and claim 5 depends upon claim 4.

Regarding claim 1: Applicant respectfully submits that the subject matter of claim 1, where the second washer is installed in the central recess 39 of the reaction plate 4, is not taught or rendered obvious by the prior art.

Specifically, in the friction clutch device of Uchida, neither first guide washer nor second guide washer, which is placed in the right side of the spring 27, is installed in the central recess of the reaction plate 3. As clearly illustrated in Figure 1 of Uchida below, the second washer of the torsion washer of Uchida is installed outside the central recess of the reaction plate 3 because the torsion damper is mounted on the right side of the friction lining support.



Contrary to Uchida, in the friction clutch device of the present invention, the torsion damper is mounted on the left side of the friction lining support. Installation of the second guide washer in the central recess of the reaction plate reduces the axial length of the device, as illustrated in the following drawing.



Therefore, because the prior art fails to point out each and every element of the currently claimed invention, Uchida does not meet this standard of anticipation and the rejection of claim 1 based on 35 U.S.C. § 102 (b) is improper.

Regarding claim 4: In addition to the above arguments regarding the rejection of claim 1, the prior art fails to disclose the inclined portion of the reaction plate extended inwardly

from the first annular portion. As clearly illustrated in Figure 1 of Uchida above, the reaction plate of Uchida has annular portion extending from a wall portion perpendicular to the output shaft, but not the inclined portion. Thus, Uchida does not meet this standard of anticipation and the rejection of claim 4 based on 35 U.S.C. § 102 (b) is improper.

Regarding claim 26: In addition to the above arguments regarding the rejection of claim 1, the prior art fails to disclose the clearance means provided by the flywheel for chignons (8) which the stator (5) of the electric machine (2) features in axial projection. As clearly illustrated in Figure 1 of Uchida above, the stator 8 is disposed radially outside of the reaction plate 3. Thus, Uchida provides no clearance for chignons 9 of the stator 8 of the electric machine. Therefore, Uchida does not meet this standard of anticipation and the rejection of claim 26 based on 35 U.S.C. § 102 (b) is improper.

Regarding claims 3, 5 and 6: In addition to the above arguments regarding the rejection of claim 1, claims 3, 5 and 6 include additional limitations further defining the present invention over the prior art.




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In re HUART, et al.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance, and notice to that effect is earnestly solicited. Appellant will request an oral hearing on the merits within two months after the date of the Examiner's answer.

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## **(8) APPENDIX OF CLAIMS ON APPEAL**

1. Friction clutch device including, on the one hand, a rotational drive flywheel (13) featuring a front extremity intended to be fixed to a drive shaft (11), and a rear extremity in the form of a hollow-shaped reaction plate (4) with a central recess (39) delimited externally by a friction face (37), and, on the other hand, a friction disc (20) comprising, at its outer periphery, at least one friction lining (16) for contact with the friction face (37), of the reaction plate (4), said friction lining (16) being integral with a support (21) coupled elastically, by way of a torsion damper (20a), to a central hub (15) intended to be integrated in rotation with a driven shaft,

wherein the torsion damper (20a) penetrates into the central recess (39) of the reaction plate (4) and the drive flywheel (13), between its front and rear extremities, carries a rotor (6) of a rotating electric machine (2) comprising a fixed stator (5),

and wherein the torsion damper (20a) includes, on the one hand, a first guide washer (29) integral with the support (21) and with a second guide washer (30), and, on the other hand, a web (34) arranged between the two guide washers (29, 30), and linked in rotation, possibly after taking up play, with the hub (15),

and wherein the second guide washer (30) is installed in the central recess (39) of the reaction plate (4).

3. Device according to Claim 1, wherein the torsion damper (20a) is installed radially under a first annular portion (38) of axial orientation being connected to the inner periphery of the friction face (37).

4. Device according to Claim 3, wherein the first portion (38) is extended inwards by an inclined portion (142).

5. Device according to Claim 4, wherein the inclined portion is extended by a ring (130) of transverse orientation.

6. Device according to Claim 3, wherein the first portion (38) is connected to a ring of transverse orientation (130).

26. Device according to Claim 1, wherein the flywheel (13) carries clearance means for chignons (8) which the stator (5) of the electric machine (2) features in axial projection.